

Appl. No. 10/783,649
Amdt. dated March 24, 2010
Reply to Office Action of December 24, 2009

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REMARKS/ARGUMENTS

Claims 12, 15 and 16 were pending in this application.

Claims 12, 15 and 16 stand rejected under 35 USC 103(a) as being unpatentable over Eggers et al. US20060106649 (Eggers) in view of Engleson et al. US 7,117,041 (Engleson), and further in view of Ford et al. US20020077852 (Ford).

Claim 12 has been amended to better distinguish the present invention over these references. The changes are supported by Figs. 2, 3, 4A, 17 and 18, as well as by the original description found on page 32, line 8 through page 34, line 24. Thus, no new matter has been added.

Eggers discloses a system and method for programming a patient care device. One or more patient care devices 12 can be connected directly or indirectly to a network 10 within a hospital. This connection allegedly allows information to be continuously or periodically transferred between the patient care device and other systems in the network. "Asset location can be accomplished by querying devices about their serial number and location ...device 12 location can be automatically determined by the device's connection to the network or some other means of identifying itself and its location to the network." [0058].

The Examiner admits that Eggers fails to disclose displaying the last known general physical location at a user access device, but maintains that Engleson teaches this in column 10, line 45 through column 11, line 14. Applicants also note that, in spite of the vague statements in the cited portion of the description, Engleson only shows in Figs. 8, 9 and 12 embodiments in which medical devices might be "located" at certain fixed terminals within the hospital due to their attachment to a modular patient care device and association with a particular patient being treated in a particular patient room.

The Examiner further admits that Eggers and Engleson fail to specifically disclose a medical device that emits audible alarms in conjunction with a method of tracking, locating or managing such assets. However, the Examiner states that medical infusion pumps which emit an audible alarm in accordance with various user settings are well known in the art, as evidenced by paragraphs [0124]-[0128] and [0189] of Ford. Although Ford discloses audible beeps from the pump being used to signify to the user programming the pump that the entered values are either acceptable or unacceptable, the Examiner considers the utilizing of the audible beeping sound of the pump to locate the pump to be an intended use for the beeping. Interestingly, the Examiner states that the

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motivation for combining Eggers, Engleson and Ford is "directing the healthcare providers attention to the pump when an action for the medical care of the patient is required."

In the present invention the audible locator alarm is activated and emitted at the medical device based on a specific request from the remote user access device that is relayed to the medical device by the medication management unit and is not necessarily for directing the healthcare provider's attention to the pump when an action for the medical care of the patient is required. A bio-medical engineer may simply be searching for the medical device to perform inventory, maintenance or a drug library update. The audible alarm is activated only if certain medical device tracking difficulties occur and a specific set of steps are required as recited in claim 12 if such difficulties occur.

It is believed that the prior art of record fails to fairly show or suggest each and every one of the specific method steps as recited in amended claim 12. Thus, claim 12 is believed to be patentable. Claims 15 and 16 depend from claim 12 and at least derive their patentability therefrom.

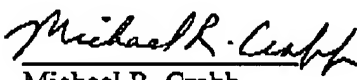
No fees are believed to be necessary with this paper, however; please consider this a request for any extension required and use Deposit Account 50-3118 to reconcile any underpayment or overpayment of fees.

Favorable consideration of the claims and a Notice of Allowance is respectfully requested. If a telephone conference would advance the matter, kindly contact the undersigned attorney for the applicants at the number provided below.

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Respectfully submitted,
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